

DOCKET NO.: P0815.70001US01

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Hong Da Tang et al.  
Serial No.: 10/081260  
Confirmation No.: 2750  
Filing Date: February 22, 2002  
For: SYSTEMS, DEVICES AND METHODS FOR PROVIDING SERVICES IN A PROXIMITY-BASED ENVIRONMENT  
  
Examiner: Tran, Pablo N.  
Art Unit: 2618

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 20<sup>th</sup> day of September, 2006.

Patricia L. Marchetti  
Patricia L. Marchetti

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**Mail Stop Issue Fee**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR APPROVAL AND ENTRY OF FORMAL DRAWINGS**

Sir:

Enclosed for filing are three (3) sheets of FORMAL DRAWINGS, Figures 4.1, 5.3 and 7, for the above-referenced patent application.

Applicant submits the formal drawings in response to the Notice of Drawing Inconsistency with Specification mailed August 24, 2006, wherein the U.S. PTO alleges that these three drawings are missing from the application as filed. Applicant respectfully allege that all 16 sheets of formal drawings (Figures 1 through 7) were submitted with the patent application as filed on February 22, 2002, as discussed in detail in the Remarks section beginning on page 2.

**REMARKS**

The Notice of Drawing Inconsistency With Specification mailed August 24, 2006 asserts that the Brief Description of the Drawings section in the specification indicates Figures 4.1, 5.3 and 7, but that these drawings are missing from the application. Applicant's records indicate that all of the drawings, including Figures 4.1, 5.3 and 7 were submitted with the application on February 22, 2002.

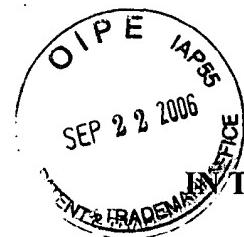
The Utility Patent Application Transmittal filed with the application indicates 16 sheets of drawings, which is the number of sheets corresponding to the full set of drawings, including Figures 4.1, 5.3 and 7. In addition, the return receipt post card date stamped 02/22/02 by the Patent Office indicates that all 16 sheets were received. Copies of both documents are enclosed herein for the Examiner's reference. Applicant also encloses herein Figures 4.1, 5.3 and 7 which were filed and received with the application, but presumably misplaced sometime thereafter.

Applicant further notes that U.S. Patent Application Serial No. 11/056,429 (Publication No. 20050147133) was filed as a continuation of the present application. The file history and publication of the '429 application clearly show Figures 4.1, 5.3 and 7 as being part of the application. Comparison of Figures 4.1, 5.3 and 7 enclosed herein with the corresponding figures in the '429 application show that the respective figures are identical. Thus, no new matter has been added to the present application.

Thus, Applicant respectfully requests that the enclosed Figures 4.1, 5.3 and 7 be entered and approved so that the allowed application can issue. The issue fee for this application was sent with the Response to the Notice of Allowance on July 5, 2006. The Commissioner is hereby authorized to charge any fees which may be required to Deposit Account No. 23/2825.

Respectfully submitted,  
***Hong Da Tang et al., Applicant***

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261P  
Docket No.: P0815.70001US01  
(PATENT) TFW

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Examiner: P. N. Tran  
Art Unit: 2614

**Certificate of Mailing Under 37 CFR 1.8(a)**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: September 20, 2006

*Patricia L. Marchetti*  
Patricia L. Marchetti

**TRANSMITTAL LETTER**

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed are the following items for filing in connection with the above-referenced Patent Application:

1. Request for Approval and Entry of Formal Drawings
2. Three (3) sheets of Formal Drawings for Figures 4.1, 5.3 and 7
3. Copy of Utility Patent Application Transmittal
4. Copy of return receipt postcard date stamped 02/22/02 by U.S. PTO
5. Return Receipt Postcard

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 23/2825, under Docket No.

P0815.70001US01. A duplicate copy of this paper is enclosed.

Dated: September 20, 2006

Respectfully submitted,

By *Randy J. Pritzker*  
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PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	00-027 CON
First Inventor	HONG DA TANG
Title	SYSTEMS, DEVICES AND METHODS FOR PROVIDING SERVICES IN A PROXIMITY-BASED
Express Mail Label No.	EL903257209US

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1.  Fee Transmittal Form (e.g., PTO/SB/17)  
*(Submit an original and a duplicate for fee processing)*
2.  Applicant claims small entity status.  
See 37 CFR 1.27.
3.  Specification [Total Pages 47]  
*(preferred arrangement set forth below)*
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings *(if filed)*
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4.  Drawing(s) (35 U.S.C. 113) [ Total Sheets 16 ]
5. Oath or Declaration [ Total Pages 3 ]
  - a.  Newly executed (original or copy)
  - b.  Copy from a prior application (37 CFR 1.63 (d))  
*(for continuation/divisional with Box 18 completed)*
    - i.  **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6.  Application Data Sheet. See 37 CFR 1.76

**ADDRESS TO:** Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

7.  CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission *(if applicable, all necessary)*
  - a.  Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i.  CD-ROM or CD-R (2 copies); or
    - ii.  paper
  - c.  Statements verifying identity of above copies

9.  Assignment Papers (cover sheet & document(s))
10.  37 CFR 3.73(b) Statement  Power of Attorney *(when there is an assignee)*
11.  English Translation Document *(if applicable)*
12.  Information Disclosure Statement (IDS)/PTO-1449  Copies of IDS Citations
13.  Preliminary Amendment
14.  Return Receipt Postcard (MPEP 503) *(Should be specifically itemized)*
15.  Certified Copy of Priority Document(s) *(If foreign priority is claimed)*
16.  Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17.  Other: .....

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation    Divisional    Continuation-in-part (CIP)

of prior application No. 09 / 593,531

Prior application information:

Examiner Pablo Tran

Group Art Unit: 2684

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.**19. CORRESPONDENCE ADDRESS**

<input type="checkbox"/> Customer Number or Bar Code Label	<small>(Insert Customer No. or Attach bar code label here)</small>			or	<input checked="" type="checkbox"/> Correspondence address below
Name	HENRY E. BARTONY, JR				
Address	SUITE 1801, LAW & FINANCE BUILDING 429 FOURTH AVENUE				
City	PITTSBURGH	State	PA	Zip Code	15219
Country	US	Telephone	412.338.8632	Fax	412.338.6611

Name (Print/Type)	HENRY E. BARTONY, JR.	Registration No. (Attorney/Agent)	34,772
Signature			Date FEB. 22, 2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.



Title:  
**SYSTEMS, DEVICES AND METHODS  
FOR PROVIDING SERVICES IN A  
PROXIMITY-BASED ENVIRONMENT**

The dating stamp of the  
Patent and Trademark Office  
on this card will be taken as  
an indication that the  
accompanying paper was filed.

Utility Patent Application Transmittal  
Fee Calculation Sheet (In Duplicate)  
Preliminary Amendment  
Petition for Extension (In Duplicate)  
Copy of Power of Attorney from parent case  
Copy of Declaration from parent case  
Patent Application (47 pages)  
Drawings (16 Sheets))  
Check for \$908.00  
Receipt Acknowledgement Postcard

App. No.: TO BE ASSIGNED  
Paper Dated: February 22, 2002  
Atty Docket: 00-027 CON

Express Mail Label No. EL903257209US

11046 U.S. PRO  
02/22/02